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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/759,390	01/16/2004	Gavin Brebner	B-5359 621658-6	6682

7590 07/03/2006

HEWLETT-PACKARD COMPANY
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EXAMINER

BLACK, LINH

ART UNIT PAPER NUMBER

2163

DATE MAILED: 07/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/759,390	Applicant(s) BREBNER, GAVIN	
	Examiner LINH BLACK	Art Unit 2163	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This communication is in response to the documents dated 1/16/04. Claims 1-20 are pending in the application. Claims 1, 7, and 15 are independent claims.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1, 4 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. After the first limitation "supplying dummy information to a remote profile database", then the second limitation "accessing a service operable to request profile information from the remote profile database, then the third limitation "supplying correct information to the remote profile database". The fourth/last limitation "after accessing the service, supplying dummy information to the remote profile database" seems to contradict with the third limitation which is after accessing the service, then "supplying correct information to the remote profile database". However, examiner interprets the last limitation of claim 1 as updated/correct information when transferred from users to the profile database is scrambled/encrypted as dummy information. Clarification is required.

Drawings

The drawings are objected to under 37 CFR 1.84(o) because they fail to show necessary textual labels of features in Figs. 1, 3 as described in the specification. For example, placing the label, "agent" with element 16 of fig. 1, or "remote profile database – correct data" with element 12 of fig. 1, or "remote profile system – dummy/obfuscated data" with element 11 of fig. 1, would give the viewer a clear understanding of the drawing. Please provide all textual labels for elements of figures 1,5. Also, any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Felsher (US 20020010679), and further in view of Muratani et al. (US 6061451).

As per claims 1, 7, 15, 18, Felsher teaches encryption of transmitting data/records – pars. 0195-0198, 0219-0221; remote profile database – pars. 0070, 0208-0210, and 0330; supplying dummy information to the profile database – pars. 0247-0248, 0298-0299; accessing and supply correct/updated information to the database – par. 0284. Muratani further improves Felsher's teaching of scrambled/dummy data are sent on the network to a device 50, a security module 70 then authenticate and descramble the data/record and send to the device; col. 5, line 9 to col. 6, line 11. However, the device: set top unit is not a profile database, but the mechanism of sending dummy/scrambled data over a network to any type of device with a security module function to authenticate and descramble/decrypted the encoded/dummy data is not novel in the art. Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine both teachings to better secure and manage users' profile databases.

As per claims 2-3, 8, 11, 17, Felsher teaches detecting a service request and generating an update request and supply correct information to the profile database - pars. 0208-0210, 0284, and 0330.

As per claims 4-5, Felsher teaches detecting the end of the service access, generating a dummy information update request - pars. 0248-0249, 0287, 0298-0299.

As per claims 6, 13, Felsher teaches correct information is stored on a local database – pars. 0063, 0068, 0350.

As per claims 9, 16, Felsher teaches an agent... - pars. 0084, 0106, 0153.

As per claim 10, Felsher teaches update request or dummy update request is generated by a user - pars. 0247-0248, 0298-0299.

As per claim 12, Felsher teaches display the status of the information supplied to the remote profile database to a user – pars. 0260, 0359.

As per claims 14, 19, Felsher teaches accessing service via the Internet, the computer being provided with an agent - pars. 0084, 0106, 0153, 0292. 0325.

As per claim 20, Felsher teaches accessing service via the Internet, the computer being provided with an agent - pars. 0084, 0106, 0153, 0292. 0325; a proxy server to communicate with user and the Internet – pars. 0032, 0037; detecting the end of the service access, generating a dummy information update request - pars. 0248-0249, 0287, 0298-0299.

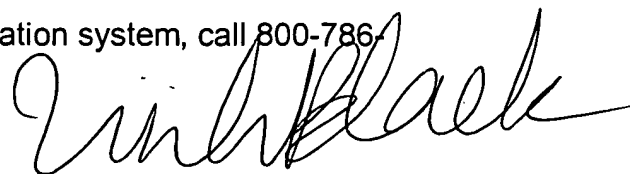
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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LINH BLACK whose telephone number is 571-272-4106. The examiner can normally be reached on 8am - 5pm.

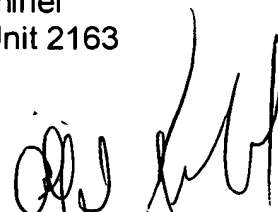
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Don Wong can be reached on 571-272-1834. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



LINH BLACK
Examiner
Art Unit 2163

June 24, 2006



ALFORD KINDRED
PRIMARY EXAMINER